REGISTERED No. T. 10 REGISTERED No. M. 4681

THE TRAVANCORE GOVERNMENT GAZETTE EXTRAORDINARY.

TRIVANDRUM, FRIDAY, 17TH AUGUST 1945 / 1ST CHINGAM 1121.

Act I of 1121

THE TRAVANCORE VEHICLES TAXATION ACT, 1121.

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THE TRAVANCORE VEHICLES TAXATION ACT, 1121.

PASSED BY HIS HIGHNESS THE MAHARAJA OF TRAVANCORE UNDER DATE THE 1ST CHINGAM 1121 CORRESPONDING TO THE 17TH AUGUST 1945.

Preamble.

Whereas it is expedient to abolish the levy of all tolls existing at the time of the commencement of this Act;

And whereas it is expedient to provide for the levy of a tax on vehicles;

And whereas it is also expedient to regulate the levy of taxes and tolls on vehicles by local bodies;

It is hereby enacted as follows:—

Short title, extent, and commencement.

1. (1) This Act may be called the Travancore Vehicles Taxation Act, 1121.

(2) It extends to the whole of Travancore.

(3) It shall come into force on the first day of Chingam 1121.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,—

(1) the following expressions shall have the meanings assigned to them in the Travancore Motor Vehicles Act, 1117:—

(a) "goods,"
(b) "goods vehicles,"
(c) "invalid carriage,"
(d) "motor vehicle,"
(e) "trailer," and
(f) "unladen weight."

(2) "laden weight" in relation to a motor vehicle means in case a permit is issued to the vehicle under the Travancore Motor Vehicles Act, 1117, the maximum laden weight specified in such permit, if no such permit is issued, the maximum laden weight specified in the registration certificate of the vehicle, and if such weight is not specified in such certificate, the maximum laden weight of the vehicle determined in such manner as the licensing officer may deem fit;

"laden weight" in relation to a trailer means, in case a permit is issued to the vehicle to which the trailer is attached under the Travancore Motor Vehicles Act, 1117, the maximum laden weight specified in such permit in respect of the trailer, if no such permit is issued, the maximum laden weight specified in respect of the trailer in the registration certificate of the vehicle to which the trailer is attached, and if such weight is not specified in such certificate, the maximum laden weight of the trailer determined in such manner as the licensing officer may deem fit;

(3) "licensing officer" means an officer appointed by Our Government to exercise the powers and to perform the functions of a licensing officer under this Act;

(4) "local body" means the Corporation of Trivandrum, or a Municipal Council or a Village Panchayat or a Village Union constituted under any enactment for the time being in force;

(5) "owner" includes any agent or hirer using a vehicle;

(6) "prescribed" means prescribed by Our Government by rules made under this Act;

(7) "public road" means any street, road, square, court, alley, passage or riding path over which the public have a right of way, whether a thoroughfare or not, and includes the roadway over any public bridge or causeway;

(8) "registered owner" means in relation to a motor vehicle the person in whose name a motor vehicle is registered or deemed to be registered under the Travancore Motor Vehicles Act, 1117 and in relation to a vehicle other than a motor vehicle the person whose name is entered in a register to be maintained by the licensing officer under this Act;

(9) "tax" means the tax leviable under sub-section (1) of section 3;

(10) "vehicle" shall include bicycles and tricycles and automatic cars and every wheeled conveyance which is used or capable of being used on a public road, but does not include perambulators designed solely for the conveyance of children; and

(11) "year" means the financial year; "half-year" means the first six months of such year; and "quarter" means the first three months or the second three months of such half-year.

Imposition of a tax on vehicles.

3. (1) Our Government may, by notification in Our Government Gazette from time to time, direct that a tax shall be levied on every vehicle using any public road in Travancore.

(2) The notification issued under sub-section (1) shall specify the rates at which, and the year, half-year or the quarter for which the tax shall be levied:

Provided that the rates shall not exceed the maxima specified in Schedule I in the case of motor vehicles, and the maxima specified in Schedule III in the case of vehicles other than motor vehicles.

Payment of tax and issue of licences in respect of motor vehicles.

4. (1) (a) The tax levied in respect of a motor vehicle in pursuance of a notification issued under sub-section (1) of section 3 shall be paid by the registered owner or person having possession or control of the motor vehicle, at his choice, either quarterly, half-yearly or annually, upon a quarterly, half-yearly or annual licence to be taken out by him.

Explanation.—The tax for a half-yearly licence shall not exceed twice and the tax for an annual licence shall not exceed four times the tax for a quarterly licence. Our Government shall have power to grant a suitable rebate in case of the half-yearly and annual licences.

(b) Where the tax for any motor vehicle has been paid for any quarter, half-year or year and the vehicle has not been used during the whole of that quarter, half-year or year or a continuous part thereof not being less than one month, a refund of the tax at such rates as may, from time to time, be notified by Our Government, shall be payable subject to such conditions as may be specified in such notification.

(c) Notwithstanding anything contained in section 3 or in clauses (a) and (b), Our Government may by notification in Our Government Gazette, from time to time direct that a temporary licence for a period not exceeding thirty days at a time may be issued in respect of any class of motor vehicles on payment of such tax (not exceeding the maximum specified in Schedule II) and subject to such conditions as may be specified in such notification.

(d) No motor vehicle shall be used on any public road in Travancore at any time after the issue of a notification under sub-section (1) of section 3, unless a licence permitting such use during such time has been obtained under clause (a) or clause (c).

(2) Notwithstanding anything contained in sub-section (1), no person shall be liable to tax during any period on account of any taxable motor vehicle, the tax due in respect of which for the same period has already been paid by some other person.

(3) (a) When any person pays the amount of tax due in respect of a motor vehicle using any public road in Travancore or proves to the satisfaction of the licensing officer that no tax is payable in respect of such vehicle, the licensing officer shall,—

(i) grant to such person a licence in such form as may be notified by Our Government to use the vehicle on public roads in Travancore for the period concerned; and

(ii) in the case referred to in clause (a) of sub-section (1) record that the tax has been paid for a specified period or that no tax is payable in respect of the vehicle, as the case may be, in the certificate of registration granted or deemed to be granted in respect of the vehicle under the Travancore Motor-Vehicles Act, 1117, or in the case of vehicles not registered or deemed to be registered under that Act in a certificate in such form as may be notified by Our Government.

(b) Every licence granted under clause (a) shall be valid throughout Travancore.

Payment of tax and issue of licenses in respect of vehicles other than motor vehicles.

5. (1) (a) The tax levied in respect of a vehicle other than a motor vehicle in pursuance of a notification issued under sub-section (1) of section 3 shall be paid by the owner or person having possession or control of the vehicle at his choice either half-yearly or annually upon a half-yearly or annual licence to be taken out by him.

Explanation.—The tax for any annual licence shall not exceed twice the tax for a half-yearly licence.

(b) No vehicle other than a motor vehicle shall be used on any public road in Travancore at any time after the issue of a notification under sub-section (1) of section 3 unless a licence permitting such use during such time has been obtained under clause (a).

(2) Notwithstanding anything contained in sub-section (1), no person shall be liable to tax during any period on account of any taxable vehicle other than a motor vehicle the tax due in respect of which for the same period has already been paid by some other person.

(3) (a) When any person pays the amount of tax due in respect of a vehicle other than a motor vehicle using any public

road in Travancore or proves to the satisfaction of the licensing officer that no tax is payable in respect of such vehicle, the licensing officer shall,—

(i) grant to such person a licence in such form as may be notified by Our Government to use the vehicle on public roads in Travancore for the period concerned;

(ii) in the case referred to in clause (a) of sub-section (1) record that the tax has been paid for a specified period or that no tax is payable in respect of the vehicle as the case may be, in a certificate in such form as may be notified by Our Government.

(b) Every licence granted under clause (a) shall be valid throughout Travancore.

(4) Where the Hackney Carriage Act (VI of 1083) as amended by Act I of 1103 is in force in any area, the person appointed to perform the functions of the registering officer under the said Act in respect of such area shall, before registering any hackney carriage thereunder satisfy himself that the tax, if any, due under this Act on account of the last preceding half-year and the current half-year has been paid.

Owner of vehicle other than motor vehicle to report to licensing officer.

6. (1) Every owner of a vehicle other than a motor vehicle shall report to the licensing officer within whose jurisdiction he resides the particulars of the vehicle he owns or possesses in such form and within such date as may be notified by Our Government.

(2) Any person failing to comply with the provision in sub-section (1) shall be punishable with fine which may extend to twenty rupees.

Carriage of licence on vehicle and duty to stop on demand by Police Officer.

7. (1) The licence granted in respect of a vehicle under clause (a) of sub-section (6) of section 4 or clause (a) of sub-section (3) of section 5 shall be carried in a conspicuous place upon the vehicle in such manner as may be notified by Our Government and if such a licence is not so carried upon such vehicle, the registered owner or the person having possession or control thereof shall be punishable with fine which may extend to fifty rupees.

(2) Any police officer in uniform who is not below the rank of an Inspector or who being below such rank is specially authorised in this behalf by the Inspector-General of Police, may require the driver of any vehicle on any public road to stop the vehicle and cause it to remain stationary so

long as may reasonably be necessary for the purpose of satisfying himself that a licence has been duly obtained in respect of such vehicle.

(3) Any person failing to stop a vehicle when required to do so by a police officer under sub-section (2) or resisting such officer shall be punishable with fine which may extend to fifty rupees.

Penalty for failure to pay tax.

8. If the tax due in respect of any vehicle has not been paid, the registered owner or the person having possession or control thereof shall be punishable with fine which may extend to fifty rupees; and the amount of the tax due by him in respect of such vehicle for the quarter or quarters or half-year or year concerned shall also be recovered as if it were a fine.

Recovery of tax as an arrear of land revenue.

9. Any tax due under this Act may also be recovered in the same manner as an arrear of land revenue. The vehicle in respect of which the tax is due or its accessories may be destrained and sold in pursuance of this section whether or not such vehicle or accessories are in the possession or control of the person liable to pay the tax.

Exemptions.

10. Our Government may by notification in Our Government Gazette make an exemption, reduction in the rate or other modification in regard to the tax payable—

(i) by any person or class of persons, or

(ii) in respect of any vehicle or class of vehicles.

Protection in respect of acts done in good faith.

11. No prosecution, suit or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done under this Act.

Local bodies not to levy any tax or toll in respect of vehicles.

12. Notwithstanding anything contained in the provisions of any statute in force or of any rule, byelaw or order made thereunder, no local body shall, after the commencement of this Act, levy any toll or tax in respect of any vehicle or collect any such toll or tax except arrears thereof due till the date of commencement of this Act.

Provided that Our Government may by Notification in Our Government Gazette exempt any local body from the operation of this section in so far as it relates to vehicles other than motor vehicles.

13. No court inferior to that of a Second Class Magistrate shall try any offence punishable under this Act.

Trial of offences.

14. (1) A court taking cognizance of an offence punishable under sub-section (1) of section 7, or under sub-section (3) of that section, in so far as it relates to failure to stop a vehicle when required to do so by a police officer, or under section 8, may state upon the summons to be served on the accused person that he—

Procedure in certain cases.

(a) may appear by pleader and not in person, or

(b) may, by a specified date prior to the hearing of the charge, plead guilty to the charge by registered letter and remit to the court such sum not exceeding fifty rupees and in the case of an offence punishable under section 8, also such sum on account of the tax due from him, as the court may specify.

(2) Where an accused person pleads guilty and remits the sum specified by the court, no further proceedings in respect of the offence shall be taken against him.

15. (1) Our Government may make rules for carrying out all or any of the purposes of this Act.

Power of Government to make rules.

(2) Any rule made under sub-section (1) may provide that a breach thereof shall be punishable with fine which may extend to fifty rupees.

16. (1) Our Government may make rules amending Schedule I, II or III appended to this Act.

Power of Government to make rules to amend Schedule I, II or III.

(2) All references in this Act to Schedule I or Schedule II or Schedule III shall be construed as referring to such Schedule as for the time being amended in exercise of the powers conferred by sub-section (1).

SCHEDULE I.

Classes of Vehicles.	Maximum Quarterly Tax. For vehicles fitted with pneumatic tyres.	For other vehicles
	Rs.	Rs.
1. Motor cycles (including motor scooters and cycles with attachment for propelling the same by mechanical power) not exceeding 8 cwt. in weight, unladen,		
(a) Bicycles below 3 1/2 horse power if not used for drawing a trailer or side-car ...	6	8
(b) Bicycles below 3 1/2 horse power if used for drawing a trailer or side-car and bicycles of and above 3 1/2 horse power whether used for drawing a trailer or side-car or not ...	8	10
(c) Tricycles ...	8	10
2. Invalid carriages ...	6	8
3. Goods vehicles,		
(a) Goods vehicles not exceeding 20 cwt. in weight, laden ...	40	60
(b) Goods vehicles exceeding 20 cwt. but not exceeding 30 cwt. in weight, laden ...	80	120
(c) Goods vehicles exceeding 30 cwt. but not exceeding 45 cwt. in weight, laden ...	96	144
(d) Goods vehicles exceeding 45 cwt. but not exceeding 60 cwt. in weight, laden ...	120	180
(e) Goods vehicles exceeding 60 cwt. but not exceeding 85 cwt. in weight, laden ...	144	216
(f) Goods vehicles exceeding 85 cwt. but not exceeding 110 cwt. in weight, laden ...	176	264
(g) Goods vehicles exceeding 110 cwt. but not exceeding 150 cwt. in weight, laden ...	216	324

SCHEDULE I—(*contd.*)

Classes of Vehicles.	Maximum Quarterly Tax. For vehicles fitted with pneumatic tyres. Rs.	For other vehicles. Rs.
(h) Goods vehicles exceeding 150 cwt. but not exceeding 180 cwt. in weight laden ...	256	384
(i) Goods vehicles exceeding 180 cwt. in weight laden ...	280	420
(j) Additional tax payable in respect of goods vehicles used for drawing trailers—		
(i) for each trailer not exceeding 20 cwt. in weight, laden ...	16	24
(ii) for each trailer exceeding 20 cwt. but not exceeding 60 cwt. in weight laden	60	90
(iii) for each trailer exceeding 60 cwt. in weight laden	120	180
Provided that two or more goods vehicles shall not be chargeable under this clause in respect of the same trailer.		
4. Motor vehicles plying for hire and used for the transport of passengers—		
(a) Vehicles in respect of which permits have been issued under the Travancore Motor Vehicles Act, 1117 to carry in all not more than five persons ...	64	96
(b) Vehicles in respect of which permits have been issued under the Travancore Motor Vehicles Act, 1117 to carry more than five persons—for every person which the vehicle is so permitted to carry excluding the driver and the conductor ...	16	24

SCHEDULE I—(contd.)

Classes of Vehicles.	Maximum Quarterly Tax. For vehicles fitted with pneumatic tyres.	For other vehicles.
	Rs.	Rs.
5. Motor vehicles not themselves constructed to carry any load (other than water, fuel accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment), used for haulage solely and weighing together with the largest number of trailers proposed to be drawn—		
(a) Not more than 80 cwt. laden ...	40	60
(b) More than 80 cwt. but not more than 120 cwt. laden ...	96	144
(c) More than 120 cwt. laden ...	236	354
6. Fire engines, fire tenders and road water sprinklers—		
(a) Not exceeding 20 cwt. in weight, laden ...	16	24
(b) Exceeding 20 cwt. but not exceeding 30 cwt. in weight, laden ...	24	36
(c) Exceeding 30 cwt. but not exceeding 45 cwt. in weight, laden ...	32	48
(d) Exceeding 45 cwt. but not exceeding 60 cwt. in weight, laden ...	40	60
(e) Exceeding 60 cwt. but not exceeding 85 cwt. in weight, laden ...	48	72
(f) Exceeding 85 cwt. but not exceeding 110 cwt. in weight, laden ...	60	90
(g) Exceeding 110 cwt. but not exceeding 150 cwt. in weight, laden ...	72	108

SCHEDULE I—(contd.)

Classes of Vehicles.	Maximum Quarterly tax. For vehicles fitted with pneumatic tyres.	For other vehicles.
	Rs.	Rs.
(h) Exceeding 150 cwt. but not exceeding 180 cwt. in weight, laden ...	88	132
7. Motor vehicles other than those liable to tax under the foregoing provisions of this schedule—		
(a) Weighing not more than 15 cwt. unladen ...	14	20
(b) Weighing more than 15 cwt. but not more than 30 cwt. unladen ...	20	30
(c) Weighing more than 30 cwt. but not more than 45 cwt. unladen ...	26	40
(d) Weighing more than 45 cwt. but not more than 60 cwt. unladen ...	32	48
(e) Weighing more than 60 cwt. unladen ...	40	60
(f) Additional tax payable in respect of such vehicles used for drawing trailers—		
(i) for each trailer not exceeding one ton in weight, unladen ...	8	12
(ii) for each trailer exceeding one ton in weight, unladen ...	16	24
Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer ...		

SCHEDULE II.

Classes of Vehicles.	Maximum tax for vehicles fitted with pneumatic tyres — For a period not exceeding seven days.		For a period exceeding 7 days but not exceeding thirty days.		Maximum tax for other vehicles. — For a period not exceeding seven days.		For a period exceeding 7 days but not exceeding thirty days.	
	Rs.	ch.	Rs.	ch.	Rs.	ch.	Rs.	ch.
1. Motor cycles whether used for drawing a trailer or side car or not (including motor scooters and eycles with attachment for propelling the same by mechanical power.) ...	2	0	5	0	2	14	6	0
2. Invalid carriages ...	1	0	3	0	1	14	4	0
3. Goods vehicles,								
(a) Goods vehicles not exceeding 20 cwt. in weight laden ...	6	14	20	0	10	0	30	0
(b) Goods vehicles exceeding 20 cwt. but not exceeding 30 cwt. in weight laden ...	13	0	40	0	20	0	60	0
(c) Goods vehicles exceeding 30 cwt. but not exceeding 45 cwt. in weight laden. ...	16	0	48	0	24	0	72	0

Classes of Vehicles.	Maximum tax for vehicles fitted with pneumatic tyres.				Maximum tax for other vehicles.			
	For a period not exceeding seven days.		For a period exceeding 7 days but not exceeding thirty days.		For a period not exceeding seven days.		For a period exceeding 7 days but not exceeding thirty days.	
	Rs.	ch.	Rs.	ch.	Rs.	ch.	Rs.	ch.
(*d*) Goods vehicles exceeding 45 cwt. but not exceeding 60 cwt. in weight laden ...	20	0	60	0	30	0	90	0
(*e*) Goods vehicles exceeding 60 cwt. but not exceeding 85 cwt. in weight laden ...	24	0	72	0	36	0	108	0
(*f*) Goods vehicles exceeding 85 cwt. but not exceeding 110 cwt. in weight laden ...	29	14	88	0	44	0	132	0
(*g*) Goods vehicles exceeding 110 cwt. but not exceeding 150 cwt. in weight laden ...	36	0	108	0	54	0	162	0
(*h*) Goods vehicles exceeding 150 cwt. but not exceeding 180 cwt. in weight laden ...	42	0	128	0	64	0	192	0
(*i*) Goods vehicles exceeding 180 cwt. in weight laden ...	46	0	140	0	70	0	210	0
(*j*) Additional tax payable in respect of goods vehicles used for drawing trailers—								
(i) for each trailer not exceeding 20 cwt. in weight laden ...	2	14	8	0	4	0	12	0

Classes of Vehicles.	Maximum tax for vehicles fitted with pneumatic tyres. For a period not exceeding seven days.		Maximum tax for vehicles fitted with pneumatic tyres. For a period exceeding 7 days but not exceeding thirty days.		Maximum tax for other vehicles. For a period not exceeding seven days.		Maximum tax for other vehicles. For a period exceeding 7 days but not exceeding thirty days.	
	Rs.	Ch.	Rs.	Ch.	Rs.	Ch.	Rs.	Ch.
(ii) for each trailer exceeding 20 cwt. but not exceeding 60 cwt. in weight laden ...	10	0	30	0	15	0	45	0
(iii) for each trailer exceeding 60 cwt. in weight laden ...	20	0	60	0	30	0	90	0
Provided two or more goods vehicles shall not be chargeable under this clause in respect of the same trailer.								
4. Motor vehicles plying for hire and used for the transport of passengers—								
(*a*) Vehicles in respect of which permits have been issued under the Travancore Motor Vehicles Act, 1117 to carry in all not more than four persons ...	10	0	32	0	16	0	48	0
(*b*) Vehicles in respect of which permits have been issued under the Travancore Motor Vehicles Act, 1117 to carry more than four persons—for every person which the vehicle is permitted to carry ...	2	14	8	0	4	0	12	0

Classes of Vehicles.	Maximum tax for vehicles fitted with pneumatic tyres.				Maximum tax for other vehicles.			
	For a period not exceeding seven days.		For a period exceeding 7 days but not exceeding thirty days.		For a period not exceeding seven days.		For a period exceeding 7 days but not exceeding thirty days.	
5. Motor vehicles other than those liable to tax under the foregoing provisions of this schedule	Rs.	ch.	Rs.	ch.	Rs.	ch.	Rs.	ch.
(a) Weighing not more than 15 cwt. unladen ...	2	0	8	0	5	0	12	0
(b) Weighing more than 15 cwt. but not more than 45 cwt. unladen ...	4	0	12	0	5	0	14	0
(c) Weighing more than 45 cwt. unladen ...	5	14	16	14	8	0	24	0
(d) Additional tax payable in respect of such vehicles used for drawing trailers—								
(1) for each trailer not exceeding one ton in weight unladen ...	1	14	4	0	2	14	6	0
(2) for each trailer exceeding one ton in weight unladen ...	3	0	8	0	4	0	12	0

Provided that two or more vehicles shall not be chargeable under this clause in respect of the same trailer.

SCHEDULE III.

CLASSES OF VEHICLES.	*Half-yearly tax.* Rs.	chs.
1. For every four-wheeled vehicle constructed to be drawn by one or more animals ...	4	0
2. For every two wheeled vehicle constructed to be drawn by one or more animals ...	1	14
3. For every other bicycle or tricycle ...	1	0

SIGN MANUAL.

TRIVANDRUM
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R. O. C. No. 483/1945/L. G. A.

NOTIFICATION.

In exercise of the powers conferred by Section 18 of the Travancore Prevention of Begging Act 1120 (XIII of 1120) the Government of His Highness the Maharaja are pleased to make the following rules.

THE TRAVANCORE PREVENTION OF BEGGING RULES.

Management of Special Homes.

1. A Home notified by Government shall accommodate persons who are not physically capable of ordinary manual labour and who are committed to it under the provisions of the Travancore Prevention of Begging Act, 1120, or who have otherwise been admitted. The management of the Home shall vest in a Committee nominated or approved by Government. There shall be a Superintendent under the Committee who shall be the executive officer.

Visitors.

2. The Government shall nominate not less than three visitors, who may be non-officials, (one of whom shall be a woman) who shall visit the Home at least once in a month. The term of each such visitor shall be two years. The Commissioner of the Corporation of Trivandrum or the Chairman of the Municipal Council concerned, where there is no Commissioner, the Health Officer, the District Magistrate and the Inspector General of Police shall be ex-officio visitors. The visitors may record any suggestions in a book kept for the purpose. The Superintendent shall forward a copy of such suggestions to the Committee.

The Superintendent.

3. The Superintendent of the Home shall be a person appointed by the Committee with the previous approval of Government. He shall be in charge of the Home and shall manage all matters relating to the health, discipline, labour, expenditure, punishments and control of the inmates subject to these rules and to the orders of the Committee.

4. During the absence of the Superintendent, the Assistant Superintendent or any other officer authorised by the Committee and approved by the Government in that behalf may perform the duties of the Superintendent.

5. (1) The Superintendent shall be strictly responsible for the due carrying out of all the rules and statutory provisions.

(2) Every order of the Superintendent shall be subject to the revision of the Committee.

6. The Superintendent shall visit the Home at least once in the fore-noon and once in the after-noon of every working day and on Sundays and holidays also whenever special circumstances render it desirable that he should do so. If from any cause he is unable to visit the Home on any day on which he is by this rule required to do so, he shall record the fact and the cause therefor in the Register referred to in Rule 7. He shall also visit the Home at nights at least once a week and satisfy himself that every thing is in order and that the night duty watchman is alert.

7. The Superintendent shall maintain a journal, in which he shall record as soon after the event as possible,

(a) the time at which he enters and leaves the Home daily and the result of his weekly inspection of the inmates, guard and premises ;

(b) every occurrence of importance connected with the management of the Home which is not otherwise disposed of in the registers or correspondence, and which it is desirable to note for future reference.

8. The Superintendent shall be responsible for the economical working of the Home ; he shall carefully consider the necessity for all expenditure before incurring it, and shall satisfy himself that all rates paid are the lowest compatible with efficiency. He shall be responsible for the prompt execution of orders and generally for the financial administration of the Home. He shall be answerable for all Home property, stores and moneys, and shall be held responsible for any defalcations on the part of the Home establishment, if it be shown that such defalcations were rendered possible by negligence on his part.

9. The Superintendent shall see that the registers and accounts as per the Financial and Account Code are kept and maintained properly.

10. The Superintendent shall maintain an attendance register of the staff of the Home.

11. The Superintendent shall maintain the following registers :-

(1) A register entitled "The Inmates Register" showing the following particulars:—

Serial number.

Father's name or husband's name (in the case of married women).

Age.
Sex.
Caste or religion.
Previous occupation, if any.
Previous place of settled residence, if any, (town or village) Taluk and District.
Height.
Weight on admission.
Marks of identification.
General health.
How admitted— voluntary or under the Act.
Date of admission.
Date of expiry of period of detention in the Home.
Particulars and value of property delivered with or found on the inmate on admission, or subsequently received on his account with signature or left thumb print in acknowledgement of correctness on each such occasion and on disposal.
Initials of the Superintendent (with dates) in token of having received the property into his charge.
Remarks showing how the inmate has been disposed of after the expiry of the period of detention.
Initials of the Superintendent in token of the accuracy of the entries.
State of health and weight on the date of discharge.

(2) Superintendent's Order Book.
(3) Punishment Book.
(4) Visitors Book.

12. When no provision exists in these rules, prescribing the officer by whom any register or record shall be maintained, the Superintendent shall by order record in the Order Book from time to time, assign the maintenance of every such register or record to a specified subordinate.

13. The Superintendent shall submit punctually to Government through the Committee with their remarks if any, such yearly and other returns, statements, bills and vouchers as may be, from time to time, prescribed. As soon as possible after the close of each year, he shall furnish Government through the Committee with a report on the administration of the Home in which all matters of importance or possessing a bearing on the Home statistics of the year shall be noticed. He shall be generally responsible for the due carrying out of all Rules thereinafter contained relating to account books and records of all kinds.

14. (1) Subject to the Rules and orders of Government in the Financial Department, the expenditure of the Home shall be controlled by the Superintendent.

(2) He shall annually submit to Government through the Committee the prescribed budget for the ensuing year within the time limit prescribed therefor.

15. The Superintendent may sanction expenditure subject to budget provision and subject to the general or special orders of the Committee.

16. Any outbreak of epidemic disease or unusual sickness, all serious breaches of Home discipline, escapes, attempts to escape, recaptures, accidents, suicides attempts at suicide or deaths from violent or unnatural causes, shall be at once reported by the Superintendent to the proper authorities concerned to the Committee and also to Government.

17. The Superintendent shall accompany visitors if they request his presence during their visits.

18. It shall be competent to the Superintendent to grant any kind of leave to all subordinates of the Home with the previous approval of the Committee.

19. The Superintendent may fine any officer, subordinate to him, provided that no fine shall exceed two rupees.

Offences and Punishment.

20. The following acts are forbidden, and every inmate who wilfully commits any of the following acts shall be deemed to have wilfully disobeyed the regulations of the Home.

(1) quarrelling with any other inmates ;
(2) showing disrespect to any Home officer or visitor ;
(3) making groundless complaints ;
(4) answering untruthfully any question put by an officer of the Home or visitor ;
(5) abetting the commission of any Home offence ;
(6) omitting to assist in the maintenance of discipline by reporting any Home offence, or to give assistance to an officer of the Home when called on to do so ;
(7) doing any act or using any language calculated to wound or offend the feelings and prejudices of a fellow-inmate ;
(8) doing any act calculated to create any unnecessary alarm in the minds of the inmates or officers of the Home ;

(9) refusing to eat the food prescribed by the Home scale ;
(10) eating or appropriating any food not assigned to him, or taking from or adding to the portions assigned to other inmates ;
(11) removing without permission of an officer of the Home food from cook-room or go-downs or from the place where meals are served, or disobeying any order as to the issue and distribution of food and drink ;
(12) wilfully destroying food or throwing it away without orders ;
(13) introducing into food or drink anything likely to render it unpalatable or unwholesome ;
(14) omitting or refusing to wear the clothing given to him, or exchanging any portion of it for the clothing of other inmates or losing, discarding, damaging, or altering any part of it :
(15) omitting or refusing to keep the person clean or disobeying any order regulating the cutting of hair or nails ;
(16) omitting or refusing to keep clothing, blankets, bedding clean or disobeying any order as to the arrangement or disposition of such articles ;
(17) tampering in any way with home locks, lamps or lights or other property with which he has no concern ;
(18) stealing the Home clothing or any part of the Home kit of any other inmate ;
(19) committing a nuisance in any part of the Home ,
(20) spitting on or otherwise soiling any floor, door, wall or other part of the Home building or any article in the Home ;
(21) wilfully befouling the wells, latrines, washing or bathing places ;
(22) omitting or refusing to take due care of, or injuring, destroying or misappropriating, the materials and implements entrusted to him for work ;
(23) omitting to report at once any loss, breakage or injury which he may accidentally have caused to Home property or implements ;
(24) manufacturing any article without the knowledge or permission of an officer of the Home :
(25) wilfully causing to himself any illness, injury, or disability ;

(26) causing or omitting to assist in suppressing voilence or insubordination of any kind ;

(27) taking part in any attack upon any inmate or officer of the Home ;

(28) omitting or refusing to help any officer of the Home in case of an attempted escape or of an attack upon such officer or upon another inmate ; and

(29) disobeying any lawful order of an officer of the Home or omitting or refusing to perform duties in the manner prescribed.

21. When any offence under the Penal Code is committed by an inmate of the Home the Superintendent shall—

(1) if the offence is non-cognisable, file a complaint, and

(2) if the offence is cognisable refer the case to the officer in charge of the Police Station within whose jurisdiction the Home is situate.

22. The Committee shall from time to time fix the punishments to be awarded to the inmates for the offences enumerated in rule 20. The Superintendent shall see to the carrying out of these punishments.

CLOTHING.

23. The Committee of the Home shall from time to time fix the clothing and bedding of the inmates.

24. Every inmate accommodated in the Home shall be required to wear the Home clothing and shall be supplied with the Home bedding. The inmates shall take the clothing and bedding with them on release from the Home.

25. The Committee shall allot such work as is available and suitable to the health, inclination and experience of the inmate.

THE ATTENDANCE OF INMATES BEFORE COURTS.

26. Any Criminal Court may, if it thinks that the evidence of any person confined in the Home is material in any matter pending before it, or if a charge of an offence against such person is made or pending, send a requisition to the Superintendent for the production of such inmate before the Court and the Superintendent shall send him to the Court under the custody of a Subordinate of the Home.

GUARDING.

27. The guarding of the Home shall be arranged by the Committee and shall be done by the establishment.

ESCAPES.

28. The Superintendent shall give prompt notice of the escape of an inmate to the nearest Police Station with a full description of the inmate.

29. Every officer of the Home through whose assistance, connivance or neglect an escape takes place, shall be prosecuted under Sections 219, 220 and 223 of the Penal Code, unless very extenuating circumstances are present or unless the Superintendent considers the evidence insufficient to procure a conviction, when the case shall be submitted to Government through the Committee for orders.

30. (1) If the inmate is recaptured, intimation of the fact shall be given to the officer who has been addressed under Rule 28.

(2) A recaptured inmate may be received back into the Home.

ACCIDENTS AND SUICIDES.

31. (1) Whenever a sudden or violent death or a death from suicide has taken place in the Home, immediate notice shall be sent by the Superintendent to the Police and the Magistrate and the body shall, if life be extinct, be left in the position in which it was found pending inspection by these officers.

(2) Should it be uncertain that death has occurred, measures shall be at once taken to restore animation, and for this purpose the body may be removed, immediately on its discovery, from the position in which it was found.

NOTE: In the case of an inmate found hanging and if there is reason to suppose that life is not extinct or the point is doubtful, the body shall be at once raised to relieve pressure, pending the cutting or untying of the rope and laid gently on the ground; all measures should be taken to restore consciousness without waiting for assistance, which, however, should be called without delay.

32. (1) On the occurrence of a sudden or violent death or a death from suicide or whenever there is any doubt or complaint or question concerning the cause of death of any inmate, a report shall forthwith be sent to,—

(a) the nearest Magistrate empowered under Section 176 of the Criminal Procedure Code to hold inquests,

(b) the officer in charge of nearest Police Station who is required to make a preliminary investigation, and

(c) to the Commissioner, Corporation, or the Municipal Chairman as the case may be.

(2) The body of the deceased inmate shall be kept for the inspection and orders of the Officer holding the inquests. No Home officer shall be a member of a Panchayat formed to express an opinion as to the cause of death of any inmate.

FEMALE INMATES.

33. No female shall, on any pretext, leave or be permitted to leave or be removed from the enclosure set apart for females, except for release, transfer or attendance at Court or under the orders of the Superintendent for any other special purpose.

34. No adult male shall enter or be permitted to enter the female ward of the Home by day unless he has a legitimate duty to attend to there; and no adult male shall enter it at all by night, except in an emergency, and he shall then enter a distinct report of his visit, with reason and hour thereof in the Report Book.

LUNATICS.

35. If any inmate becomes insane after his admission into the Home, the Superintendent shall make arrangements for sending him to the Lunatic Asylum under the Travancore Lunacy Act 1110.

LEPERS.

36. Upon any inmate suffering from leprosy being admitted into the Home, the Superintendent shall make suitable arrangements for transporting him to the leper clinic at Noornad.

CHILDREN OF FEMALE INMATES.

37. (1) (a) A child below 7 years of age in the care of its mother who is committed to the Home may also be admitted to the Home along with her if it cannot be placed with its relatives or otherwise properly provided for. If any question arises as to whether a child is below 7 years of age or not, such question shall be determined by the Superintendent.

(b) A child born in the Home after the committal of its mother may remain with her.

(2) No child shall be retained in the Home if it has attained the age of 7 years. On a child attaining such age the Superintendent shall intimate the fact to the Inspector-General of Police with a view to his making arrangements to place the child in an industrial Home under the Travancore Children Act, or with its relatives or otherwise. If the Inspector-General of Police cannot make such arrangements, he shall refer for orders to Government.

Any person in charge of such a child may be allowed for the maintenance of such child such sum for such period and subject to such conditions as the Government may think fit.

(3) A child retained in the Home shall be allowed such diet and clothing as the Superintendent may think fit.

RELIGIOUS SYMBOLS, FASTS AND CUSTOMS.

38. (1) No undue interference with religion or caste prejudice of inmates shall be permitted. Inmates shall be allowed to wear their religious symbols such as the sacred thread and renew them if necessary, and shall be allowed to perform their devotions in a quiet and orderly manner.

(2) Every inmate who expresses a desire to keep a religious fast and who in the opinion of the Superintendent is in a fit state of health, may be permitted to do so. As far as possible the convenience of such inmates shall be met with regard to the disposal of food and the hours of its distribution.

(3) If offered by any religious or charitable body or individual, the Superintendent may, at his discretion, receive and distribute to inmates on festival occasions, small luxuries in the shape of fruits and sweet meats or if cash is received, fruits and sweets shall be purchased and distributed.

ADMINISTRATION REPORT.

39. The Superintendent shall submit to the Government through the Committee at the end of each financial year a report on the working of the Home.

WORK—HOUSES.

40. There may be attached to the Home a work-house which shall accommodate persons who are physically capable of ordinary manual labour and who are committed to it under the provisions of the Travancore Prevention of Begging Act, 1120. The management of the work-house shall vest in the Committee of management.

41. The Superintendent of the Special Home shall also be the Superintendent of the work-house. If there is no special home, the Superintendent may be appointed by the Committee with the previous approval of Government. He shall be in charge of the work-house and shall manage all matters relating to the health, discipline, labour, expenditure, control and punishment of the inmates subject to the orders of Government.

42. During the absence of the Superintendent, the Assistant Superintendent may perform the duties of the Superintendent with the sanction of the Committee.

43. The visitors appointed for the special home shall be the visitors for inspecting the work-house and the rules for the inspection of the special home by visitors shall also apply to the work-house.

44. The other rules applicable to the home shall as far as may be apply also to the work-house.

45. Every person detained in a work-house shall be put to any labour of which the medical officer shall certify him to be capable.

46. The Superintendent shall make arrangements for giving suitable work to the able-bodied beggars who are committed to a work-house.

47. Any person detained in a work-house, may, if the medical officer considers it necessary, be sent to a hospital or other suitable place for treatment but shall be deemed while in such hospital or other place to be an inmate of the work-house.

48. Every person detained in a work-house shall be so detained until he avails himself of suitable employment found for him, or until he is removed or discharged.

49. The Superintendent shall use his best endeavours to obtain suitable employment outside the work-house for the beggars admitted thereto.

50. One-tenth of the total value of the industrial work done in the work-house and of articles produced in the garden by the inmates shall be set apart annually and distributed equitably among the inmates by the Superintendent.

51. The remaining amount shall be deposited in the Sirkar Savings Bank by the Superintendent and in his name on behalf of the Committee. A ledger shall be kept in the office with a debit and credit account against each inmate's name and at the end of each quarter, a balance sheet shall be drawn up and exhibited for the information of the inmates.

52. The amount deposited in the Savings Bank shall be utilised as directed by the managing Committee.

53. The Superintendent shall be responsible for the escort of any inmate to and from any distant place of work and for his safe custody in the work-house.

REPATRIATION OF NON-TRAVANCORE BEGGARS.

54. Any Magistrate if he finds in the course of any inquiry under the Act, that the person accused is not a Travancore subject may make an order that each person shall leave Travancore within such time as may be stated in the order. The order of the Magistrate shall be communicated to Government and Government thereupon may order such person to be repatriated or otherwise dealt with.

55. Every such order of the Magistrate shall declare that the person against whom it is made is a beggar and not a bonafide subject.

56. Every such order shall be sufficient authority to the Police for keeping in custody, the person against whom the order is made on his way to any place outside Travancore or for the removal of such person to a place on the borders of Travancore.

57. The trial of juvenile offenders retained in a Home shall be in accordance with the provisions of the Travancore Children Act.

By order,

Huzur Cutcherry,
Trivandrum, 21st August 1945.

C. P. GOPALA PANIKER,
Secretary to Government.